

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

RENE CASTILLO, Individually and On Behalf	§	
of All Others Similarly Situated, JAMES	§	
CHAMBERS; ARTHUR DELANEY;	§	
CHRISTOPHER SEAN HINRICHS;	§	
JOSHUA HONG; LINDSAY LYTHGOE;	§	
BRIAN MCKINNEY; STEVEN LEE	§	
NORTHCUTT; RANDALL LEE REEVES;	§	
JOEL WILSON; GEORGE P. SYNDER;	§	
EVAN HERNANDEZ; STEVEN L.	§	
NORTHCUTT; BRIAN S. SUTTI; KENNETH	§	
COOPER; JAMES CHAMBERS; JACK D.	§	
JOHANSEN; LEO HERNANDEZ;	§	
GUILLERMO PENA; SHLOTTIE J. PARKER;	§	
WARREN D. PAINTER; JORDAN M.	§	
MOLINA; and CRISTIAN P. BARRELLEZA,	§	
	§	
Plaintiffs,	§	
	§	
VS.	§	CIVIL ACTION NO. SA-20-CV-1269-FB
	§	
ISEC INCORPORATED,	§	
	§	
Defendant.	§	

**ORDER APPROVING SETTLEMENT AGREEMENT AND
DISMISSAL WITH PREJUDICE AND FINAL JUDGMENT**

Before the Court is the Joint Agreed Motion to Approve Settlement filed on May 23, 2023 (docket #45). Also before the Court is the Report and Recommendation of United States Magistrate Judge (docket #46) recommending to this Court that the Joint Motion for Approval of Settlement be granted and that the Court approve the parties' Settlement Agreement and dismiss this case with prejudice, while retaining jurisdiction for 30 days to enforce the terms of the agreement.

As set forth in the motion and in the Report, the parties seek approval of their Settlement Agreement and Release of Claims attached to the motion as Exhibit 1 ("Agreement") under Section 216(b) of the Fair Labor Standards Act of 1938, 29 U.S.C. § 201, et seq. ("FLSA"). The parties advise that in the present case, there is a bona fide dispute as to the proper calculation of the applicable

overtime rate, and the settlement was the result of arm's-length negotiations, conducted by highly experienced and capable attorneys who specialize in wage and hour claims. In addition, the terms of the settlement are reasonable and appropriate and fair to all parties involved. Therefore, the parties request that this Court approve the Settlement Agreement and enter an order dismissing this lawsuit with prejudice.

Based on the Joint Agreed Motion to Approve Settlement and the representations therein, and a review of the Settlement Agreement and Release (Agreement) and the Report and Recommendation of United States Magistrate Judge (docket #46), the Court concludes the Agreement between the Plaintiffs and Defendant reflects a just and equitable resolution of a *bona fide* dispute under the FLSA which is hereby APPROVED as a fair and reasonable resolution of the parties' *bona fide dispute*, including all of the terms set forth in the Agreement. Therefore, the Report and Recommendation shall be accepted such that the Joint Agreed Motion to Approve Settlement (docket #45) is GRANTED

Accordingly, IT IS HEREBY ORDERED, ADJUDGED and DECREED that all claims of the Parties in the above-referenced case are DISMISSED WITH PREJUDICE pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure. IT IS FURTHER ORDERED, ADJUDGED and DECREED that this is a Final Judgment that disposes of all claims. IT IS FURTHER ORDERED that this Court retains jurisdiction over the matter for thirty (30) days from the date hereof to enforce the terms of the Agreement. Motions pending, if any, are DISMISSED, and this case is now CLOSED.

It is so ORDERED.

SIGNED this 30th day of May, 2023.



FRED BIERY
UNITED STATES DISTRICT JUDGE